

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY

Gary W. Bastian, Commissioner,
Department of Labor and Industry,
State of Minnesota,

Complainant,

SCHEDULING ORDER

vs.

Mid-America Dairymen, Inc.,

Respondent.

The above-entitled matter is before Administrative Law Judge Steve M. Mihalchick for scheduling of subsequent proceedings.

Douglas W. Thompson, Douglas W. Thompson, Ltd., 332 Minnesota Street, Suite W-1260, St. Paul, Minnesota 55101, represents Respondent, Mid-America Dairymen, Inc. Susan C. Gretz, Assistant Attorney General, Suite 200, 525 Park Street, St. Paul, Minnesota 55103-2102, represents Complainant, the Department of Labor and Industry (the Department or Complainant).

By an Order dated October 8, 1996, the ALJ denied Respondent's motion for a stay of this matter. By an Order dated November 21, 1996, the ALJ denied Respondent's motion for certification of the previous motion, but stayed the matter 30 days to allow Respondent to seek a Writ of Prohibition. Respondent did not apply for such a writ.

On December 27, 1996, the ALJ wrote the parties requesting that they submit proposals for dates for completion of discovery and for the hearing by January 10, 1997. Complainant responded, stating it could complete discovery by May 16, 1997, and be ready for hearing by June 16, 1997. Respondent did not respond.

Based upon the record herein and it appearing that the dates proposed by Complainant are reasonable, the Administrative Law Judge makes the following:

ORDER

IT IS HEREBY ORDERED that:

1. The stay having expired on December 21, 1996, Respondent shall respond to Complainant's Interrogatories and Request for Production of Documents within 20 days of this Order, except to the extent limited by the Order of October 8, 1996.

2. All discovery in this matter shall be completed by May 16, 1997.

3. The hearing shall be held commencing June 16, 1997, at 9:30 a.m., in Goodhue County, Minnesota, at a place to be determined. Complainant shall arrange for an appropriate location and notify the ALJ and Respondent.

Dated this ____ day of January, 1997.

STEVE M. MIHALCHICK
Administrative Law Judge